

MILLVILLE PLANNING COMMISSION MEETING
City Hall - 510 East 300 South - Millville, Utah
September 7, 2023

PRESENT: Garrett Greenhalgh, Bonnie Farmer, Larry Lewis, Rachel Thompson, Darcy Ripplinger, Matt Anderson, Kara Everton, Pam June, Tara Hobbs, Teresa Lundahl, Tosha Archibald, Jeff Nielsen, Chad Kendrick

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for September 7, 2023, at 8:00 pm. Commissioners Garrett Greenhalgh, Bonnie Farmer, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) were present. Commissioner Thompson is absent. Commissioner Dickey is excused. Development Coordinator Kara Everton was present and took the minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. **Commissioner Farmer moved to approve the agenda for September 7, 2023.** Commissioner Lewis seconded.

Commissioners Garrett Greenhalgh, Bonnie Farmer, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) approved the agenda. Commissioner Thompson is absent. Commissioner Dickey is excused.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting for August 3, 2023. **Commissioner Anderson moved to approve the minutes.** Commissioner Ripplinger seconded.

Commissioners Garrett Greenhalgh, Bonnie Farmer, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) approved the agenda. Commissioner Thompson is absent. Commissioner Dickey is excused.

5.A. Proposed Update to Code: Chapter 17.12.030 Annexed Area

This is updating the code to take out the addition step of changing the zone after an annexation is accepted. It is more transparent for the petitioner and the city.

This will move to a public hearing at the next meeting.

5. B. Petition for Annexation- Cold Storage Annexation- Approx Location: 600 S 550 E

The owner is looking at annexing 8.53 acres into the city and are asking to classify it as a Residential-2 zone which would allow lot sizes to be a minimum of ½ acre. There is no water, sewer, or gas at the property, but that can all be extended down 550 East to the property. The southeast corner would go right up to Jeff Nielsen's property line. This would be subdivided in the future to 3 lots.

Rachel Thompson arrived at this time.

Jeff Nielsen explained why the road isn't being annexed into the city. Commissioner Greenhalgh asked Director of Public Works, Chad Kendrick, if the city has any interest in annexing in the road. He stated that the city does not want it. The approximate frontage is around 600', so the minimum frontage per lot is there.

Commissioner Thompson moved to recommend the Petition for Annexation for a parcel located at approx. 600 S 550 E, Millville, UT. Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Rachel Thompson, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) voted in favor. Commissioner Dickey is excused.

5.C. Revised Zoning Clearance- Single Family Home- Eric Dursteler- 140 N 100 W, Millville

Commissioner Thompson moved to skip item 5.C Revised Zoning Clearance until the owner has arrived. Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Rachel Thompson, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) voted in favor. Commissioner Dickey is excused.

5.D. Heritage Group Proposed Concepts for Riverhawk Property

Development Coordinator noted that the developer and their representative were not present, and gave an overview of the intentions for the property. Low density commercial. Various members of the commission stated that they do not want medium or high density residential in Millville, and agreed that the current code of 1/3 acre minimum properties is why the residents like to live here. Some suggested that low-density commercial would do well in this location so close to the highway and school. Some ideas were a recreation center with a pool. They all agreed that the developments with commercial on the bottom, with residential on top has not proven successful in various location around the valley. Commissioners discussed when the survey of the citizens was last conducted. Treasurer Hobbs believes it has been 4-6 years. The commissioners asked Councilmember June what the City Councils consensus on this was. She stated that she doesn't like high density and is against it. The commission then asked Eric Dursteler, who is moving into Millville, why he chose to move here. He stated that Millville was still rural and that was the primary appeal. They then asked for his opinion, and he stated that higher density living does not fit in Millville.

Commissioner Farmer moved to return to item 5.C Revised Zoning Clearance for the Revised Zoning Clearance for Eric Dursteler. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Rachel Thompson, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) voted in favor. Commissioner Dickey is excused.

5.C. Revised Zoning Clearance- Single Family Home- Eric Dursteler- 140 N 100 W, Millville

The owner has revised the home to be more cost effective for construction. They are still planning on an apartment above the garage. The setbacks are all still being met. The owner will get the updated BRHD septic tank approval to the city before the zoning clearance will be granted.

Commissioner Thompson moved to approve the revised Zoning Clearance for a Single-Family Home for Eric Dursteler located at 140 North 100 W., Millville.

Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Rachel Thompson, Larry Lewis, Darcy Ripplinger (Alt.) and Matthew Anderson (Alt.) voted in favor. Commissioner Dickey is excused.

5.E. Discussion on Future Zoning

The commission felt that this discussion did not need to be continued at this point due to viewpoints in section 5.B above.

5.F. Other

- Development Coordinator Everton updated the Commission on the revision of the subdivision checklists.

6. City Council Minutes- August 10, 2023

- No comments in reference to the City Council minutes. Commissioner Ripplinger would like to see if any RAPZ tax could be used for better fencing around South Park.

7. Agenda Items/Notes for Next Meeting

- Public Meeting for Annexation

8. Calendaring of future Planning Commission Meeting

- September 21, 2023 at 8:00 PM

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at approximately 9:16 p.m.

MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.12 - ESTABLISHMENT OF ZONES

[17.12.010: ESTABLISHMENT OF ZONES](#)

[17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES](#)

[17.12.030: ANNEXED AREAS](#)

[17.12.040: ZONES ESTABLISHED](#)

[17.12.050: PURPOSE OF ZONING DISTRICTS](#)

[17.12.060: APPLICATION OF DISTRICT REGULATIONS](#)

[17.12.070: OFFICIAL ZONING MAP](#)

17.12.010: ESTABLISHMENT OF ZONES

The city is divided into zones as shown on the map entitled zoning/city of Millville, which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this title as if the information and matters set forth by the map were all fully described herein. (Ord. 99-02-18-01 § 2)

17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

- A. Where the indicated boundaries on the zoning map are approximately street, public rights of way, or alleyways, the centerline of the street, public right of way, or alley shall be construed to be the zone district boundaries unless otherwise indicated.
- B. Where the indicated boundaries are approximately lot lines, the lot lines shall be construed to be the zoning district boundaries unless otherwise indicated.

- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D. Boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.
- F. Where a district boundary line divides a lot which was in single ownership at the time of passage of this title, the planning commission shall recommend to the city council, as a special exception, the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in other circumstances not covered in the aforementioned rules, the planning commission shall recommend to the city council the district boundaries.
- H. Where land has not been subdivided into lots and/or blocks, the zoning district boundaries shall be determined by use of the scale measurement shown on the map unless otherwise indicated.
- I. Where uncertainty continues to exist, the planning commission shall recommend its interpretation of the map to the city council. If the council upholds interpretation, then that interpretation may be appealed to the appeal authority.
- J. Any property south of 400 South currently zoned as Agriculture (A), or any property south of 400 South annexed into city limits as Agriculture (A), that wants to be considered for a residential zone will only be considered as a Residential (R-3) Zone. (Ord. 2018-9, 2018, 2007-8, 2007: Ord. 99-02-18-01 § 2)

17.12.030: ANNEXED AREAS

~~New areas to the city shall automatically be classified as an Agricultural (A) zone until such classification shall have been changed by an amendment to the zoning ordinance as provided by law.~~

At the time of the annexation of new territory to the city, the City Council, with a recommendation from the Planning Commission, shall classify such territory for zoning. The City shall consider the following when determining zoning for the annexed territory.

- A. The General Plan, including the future land use map and Millville City Master Plans,
- B. Surrounding land use,
- C. The request of the applicant, and
- D. Any applicable State law or regulations (Ord. 2023-8, 2023: Ord. 99-02-18-01 § 2)

17.12.040: ZONES ESTABLISHED

For the purpose of this title, the following zones are created and the land within the corporate limits of the city is divided into zoning districts. The boundaries for the zoning districts are shown on the official zoning map of the city. The classification of zoning districts is as follows:

A	Agricultural zone
R-1	Single- and two-family residential zone (minimum 14,000 square foot lot size)
R-2	Single- and two-family residential zone (minimum 21,000 square foot lot size)
R-3	Single- and two-family residential zone (minimum 87,000 square foot lot size)
CG	Commercial general zone
OS	Open space zone
TC	Commercial town center
HO	Hillside development overlay zone

(Ord. 2020-1, 2020: Ord. 2018-6, 2018: Ord. 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.050: PURPOSE OF ZONING DISTRICTS

In addition to the general purposes of this title identified in chapter 17.04 of this title, the various zoning districts each serve a more specific individual purpose, as described below.

- A. The A (agricultural) zoning district is proposed to provide areas for agricultural and related uses, along with very low density residential uses. This designation shall be applied to land with appropriate topographical conditions where the intrusion of urban uses would be inappropriate or untimely, due to lack or need of urban services and facilities.
- B. The R (residential) zoning districts are created to provide for the diverse needs and desires of the people of the city. These districts shall also allow for other compatible uses which may complement the primarily residential functions of the districts, under certain conditions. Basic urban services and utilities would be available in these zones:
 - 1. The R-1 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 14,000 square feet.
 - 2. The R-2 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 21,000 square feet.
 - 3. The R-3 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 87,000 square feet.
- C. The CG (commercial general) district is intended to provide various commercial uses.
- D. The OS (open space) zone is intended to provide for open space land within the city and to provide for the accommodation of natural features or hazards.
- E. The TC (commercial town center) district is intended to provide a "downtown" feel and provide residents a place to shop, eat and do business.
- F. The HO (hillside development overlay) zone is established to protect and preserve the hillside areas of the city. The goal is to minimize adverse effects of development within these areas. (Ord. 2020-1, 2020: Ord. 2018-6, 2018: 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.060: APPLICATION OF DISTRICT REGULATIONS

- A. No building or part thereof or other structure shall be erected, altered, added to, or enlarged, nor shall any land, building, structure, or premises be used, designated, or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises are located.
- B. No building or structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located, unless building height exception is expressly allowed.
- C. No building, structure, or part thereof shall be erected, nor shall any existing building be altered, enlarged, rebuilt, or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the land use and the district in which such building or open space is located.
- D. No yard or other open space provided about any building for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. (Ord. 99-02-18-01 § 2)

17.12.070: OFFICIAL ZONING MAP

- A. The boundaries of the districts established in section 17.12.040 of this chapter are established as shown on the official zoning map, which together with all explanatory matter thereon is adopted by reference and declared to be part of this title.
- B. The official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal for the city under the following words:

This is to certify that this map is the official zoning map for the City of Millville, Utah, referred to in Section 17.12.070, Millville City Ordinances,

together with the date of the adoption of this title.

- C. No changes of any nature shall be made on the official zoning map except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under chapter 17.84 of this title.
- D. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning district map, which shall be located in the planning commission hearing room, shall be the final authority as to the current status of zoning districts.
- E. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal of the city of Millville, Utah, under the following words:

This is to certify that this official zoning map supersedes and replaces the official zoning map dated adopted (date of adoption of map being replaced) as part of Ordinance No. of the City of Millville, Utah, dated .

Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved together with all available records pertaining to its adoption or amendment. (Ord. 99-02-18-01 § 2)

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF MILLVILLE CITY, CACHE COUNTY,
STATE OF UTAH:

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Millville City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah code Annotated, 2015, as amended (UCA);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Millville City and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. That the signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation; and
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
 - d. is described as follows:
 - e.

A PART OF THE SOUTHWEST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE MILLVILLE CITY CORPORATE LIMITS LINE LOCATED NORTH 89°54'02" EAST, A DISTANCE OF 1,316.86 FEET FROM THE ALUMINUM CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23 FROM WHICH THE ALUMINUM CAP MONUMENTING THE SOUTH QUARTER CORNER OF SAID SECTION 23 BEARS NORTH 89°54'02" EAST, A DISTANCE OF 2336.05 FEET; THENCE RUNNING ALONG SAID LINE NORTH 89°54'02" EAST, A DISTANCE OF 508.05 FEET TO THE EASTERLY LINE OF PETITIONERS PARCEL; THENCE RUNNING ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES:

- (1) SOUTH 33°37'32" EAST, A DISTANCE OF 16.96 FEET;
- (2) SOUTH 07°40'26" WEST, A DISTANCE OF 43.56 FEET;
- (3) SOUTH 08°47'29" WEST, A DISTANCE OF 87.73 FEET;
- (4) SOUTH 12°01'07" WEST, A DISTANCE OF 36.18 FEET;
- (5) SOUTH 19°45'28" WEST, A DISTANCE OF 83.66 FEET;
- (6) SOUTH 19°01'40" WEST, A DISTANCE OF 143.20 FEET;
- (7) SOUTH 09°16'36" WEST, A DISTANCE OF 204.00 FEET;

THENCE NORTH 75°41'49" WEST, A DISTANCE OF 876.24 FEET TO A POINT ON THE WESTERLY LINE OF SAID PETITIONERS PARCEL; THENCE RUNNING ALONG SAID WESTERLY LINE THE FOLLOWING THREE (3) COURSES:

(1) NORTH 08°47'02" EAST, A DISTANCE OF 100.00 FEET;
(2) NORTH 57°49'38" EAST, A DISTANCE OF 523.26 FEET;
(3) NORTH 89°54'02" EAST, A DISTANCE OF 8.07 FEET TO THE POINT OF BEGINNING.
CONTAINING 8.86 ACRES

4. That up to five of the signers of this petition have been designated as sponsors, one of whom is designated "contact sponsor", with the mailing address of each sponsor being indicated;
5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 UCA or a petition under Section 10-2-125 UCA if;
 - a. the request or petition was filed before the filing of the annexation petition; and
 - b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
7. That the petitioners have caused an accurate plat of the above described property to be made by a competent, licensed surveyor, which plat is filed herewith; and
8. That the petitioners understand the property, if annexed, will be zoned Agricultural.
9. That the petitioners agree to pay the City upon request and before the annexation process is completed for all expenses it has incurred due to the annexation. The petitioners understand if payment has not been made to the City by specified dates it could delay the annexation process.

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Blank lined page for notes.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

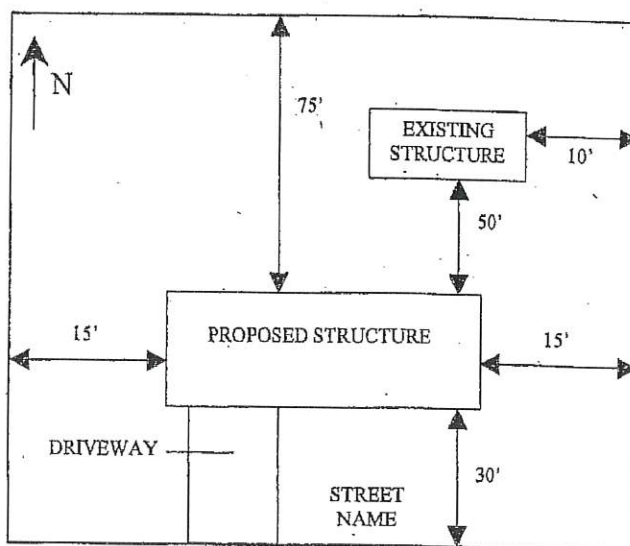
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

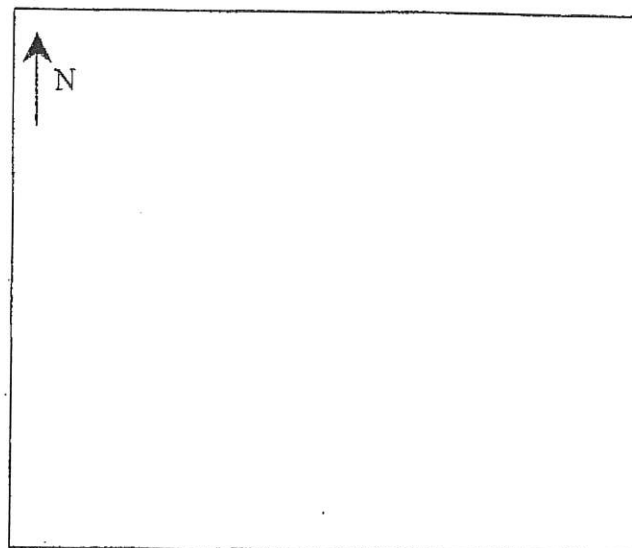
1. Eric & Molly Dürsteler
APPLICANT'S NAME
2. 2714 N 300 E
MAILING ADDRESS
- Logan UT 84341
CITY STATE ZIP CODE
3. _____ 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. _____
TYPE OF STRUCTURE
7. _____ 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 029 - 0131
TAX IDENTIFICATION NUMBER
11. 140 N 100 W
ADDRESS OF CONSTRUCTION
12. .66 13. _____
LOT SIZE Bldg Height
14. SEWER ☒ SEPTIC TANK ☐ N/A ☐
(choose one)
15. CITY WATER ☒ PRIVATE WELL ☐ N/A ☐
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. height 26'9"
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

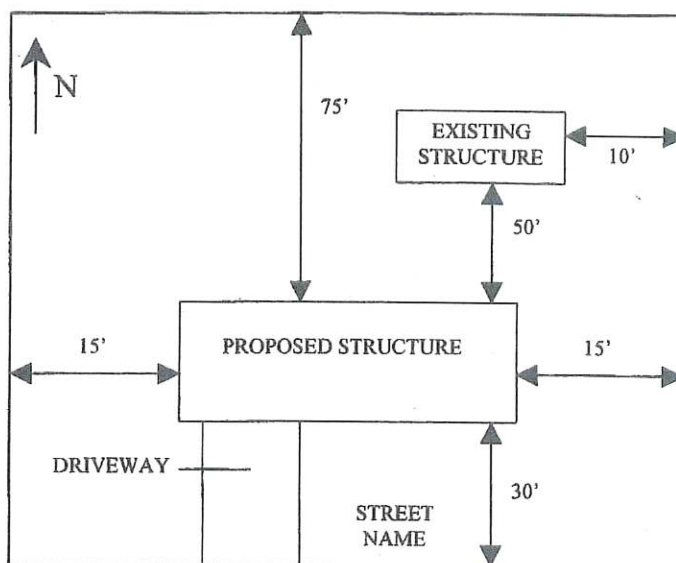
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

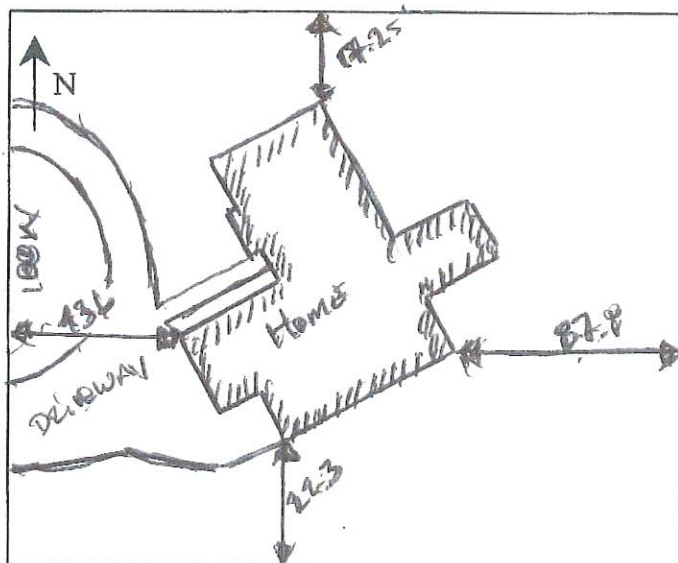
1. Eric & Molly Overstol
APPLICANT'S NAME
2. 2714 N 300 E
MAILING ADDRESS
3. Norad Loan UTAH 84341
CITY STATE ZIP CODE
4. 435-770-8465 435-227-0333
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Single-Family Home w/ Apartment
TYPE OF STRUCTURE
7. 2903 8. R-1
SQUARE FOOTAGE ZONE
9. Verla Nelson, Lot #1
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 029 - 0131
TAX IDENTIFICATION NUMBER
11. 114 West 100 West
ADDRESS OF CONSTRUCTION
12. 0.66 13. 4587
LOT SIZE LOT ELEVATION
14. SEWER ☒ SEPTIC TANK ☐ N/A ☐
(choose one)
15. CITY WATER ☒ PRIVATE WELL ☐ N/A ☐
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)

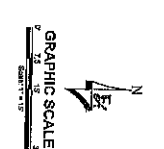
1. THE CONTRACTOR SHALL BE QUALIFIED AND RESIDENTS OWNED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PROJECT PLANS AND SPECIFICATIONS, THEREFORE THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SELECTION AND SUPERVISION OF THE CONSTRUCTION TO EXECUTE THE WORK IN A GOOD AND WORKMANLIKE MANNER AND TO COMPLY WITH THE WORK AS COMPLETED IN ACCORDANCE WITH THE TRUTH AND SUBSTANCE OF THE SAME.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL LAWS, ORDINANCES, BUILDING CODES, RULES AND REGULATIONS APPLYING TO THE WORK, INCLUDING, BUT NOT LIMITED TO, THE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE CITY OF LOS ANGELES, THE SAFETY AND HEALTH ACT, ENVIRONMENTAL REGULATIONS AND THE OCCUPATIONAL SAFETY AND HEALTH ACT. THE CONTRACTOR SHALL HAVE DIRECT CONTROL OVER, AND BE SOLELY RESPONSIBLE FOR, ALL MEANS, METHODS AND TECHNIQUES FOR PERFORMING THE WORK.

CONTRACTOR SHALL DEVELOPE AND PREPARE A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS REQUIRED BY LOCAL CODE, TO BE IMPLEMENTED AND UPDATED FROM THE COMMENCEMENT OF ANY SOIL DISTURBING ACTIVITIES AT THE SITE, UNTIL WORK IS COMPLETE AT THE SITE.

[illegible][illegible][illegible]

THE SITE OF CONSTRUCTION IS TO BE OPEN AT ALL REASONABLE TIMES AND PLACES FOR PERIODIC OBSERVATION BY ACCREDITED REPRESENTATIVES OF THE FEDERAL, STATE, AND LOCAL AGENCIES WHO HAVE REGULATORY OR SUPERVISORY AUTHORITY OVER ANY PART OF THE WORK PROPOSED OR REGULATED THEREBY.

TYPICAL FLOOR SHEATHING SHALL BE 3/4" T&G W/5/8" BOARD (UNLESS OTHERWISE NOTED)
NAILED FLOOR NAILS @ 6" O.C. ON ALL BOARDS AND @ 12" O.C. ALONG INTERMEDIATE FRAMING
MEMBERS FOR FLOOR SHEATHINGS SHALL BE GULLED IN PLACE 1/8" SPACING BETWEEN
SHEETS FOR JOINTS ONLY.
SOLID JOIST BLOKING REQUIRED AT ALL BEARING POINTS.
INSTALL FLOOR SHEATHINGS WITH JOIST GRIP AT FRONT ANGLE TO FRAMING WITH END
JOINTS STAGGERED.



1. DAMP PROOFING IS REQUIRED FOR ALL FOUNDATIONS ENCLOSING BASEMENTS (WHETHER IN WHOLE OR IN PART) BELOW FINISHED GRADE.
2. ANY HOMEOWNER THAT CANNOT BE COMPLETELY AND FULLY DAMP PROOFED SHALL BE GRANTED BEFORE DAMP PROOFING IS APPLIED.

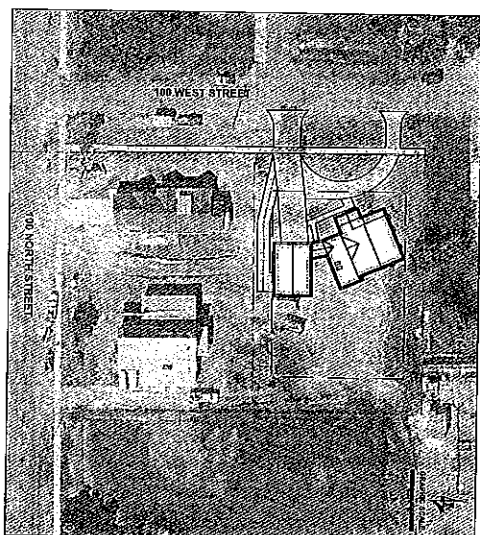
1. DETERMINE THE CLASSIFICATION OF A NONDESTRUCTIVE TESTING METHOD HAS NOT BEEN COMPLETED.
2. LABORATORY TESTING OF A SOLID MATERIAL PRESUMED TO BE 100% AIR TIGHT.
3. AIR TIGHTNESS TESTING OF A SOLID MATERIAL PRESUMED TO BE 100% AIR TIGHT.
4. AIR TIGHTNESS TESTING OF A SOLID MATERIAL PRESUMED TO BE 100% AIR TIGHT.
5. AIR TIGHTNESS TESTING OF A SOLID MATERIAL PRESUMED TO BE 100% AIR TIGHT.

1. MAIN DISCONNECTS ARE REQUIRED ON EXTERIOR OF BUILDING (SEE PLAN FOR LOCATION OF DISCONNECT BOXES).

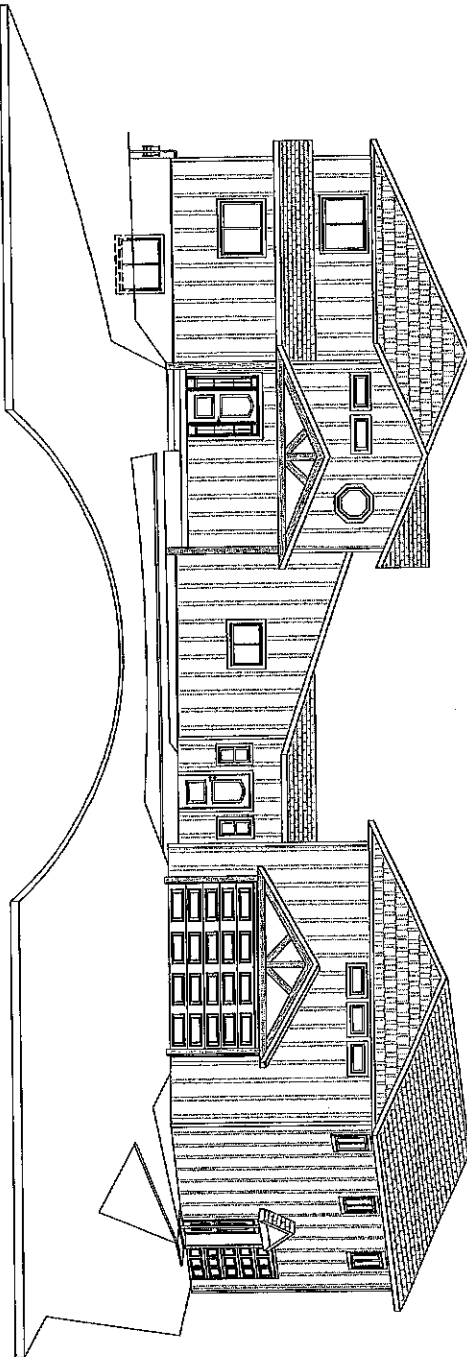
2. UTILITY GROUNDS ARE REQUIRED IN ADDITION TO WATER PIPE GROUNDING. UTILITY GROUNDS MAY BE USED IN PLACE OF DRIVEN GROUND ROD ELECTRODES (UNLESS LOCAL CODE REQUIRES OTHERWISE).

1. GAS METERS SHALL BE LOCATED PER UTILITY COMPANY REQUIREMENTS AND SHALL BE A MINIMUM OF 3- FEET FROM ELECTRICAL METER PANELS AND PERMANENT AIR VENTS.

100



NO.	REVISIONS	BY	DATE
This document or any part thereof in detail or design concept is the property of the Owner and shall not be			



SQUARE FOOTAGES

UNFINISHED SQUARE FOOTAGE:
BASEMENT: 1471
GARAGE - APARTMENT: 1125
SEWING STUDIO: 418

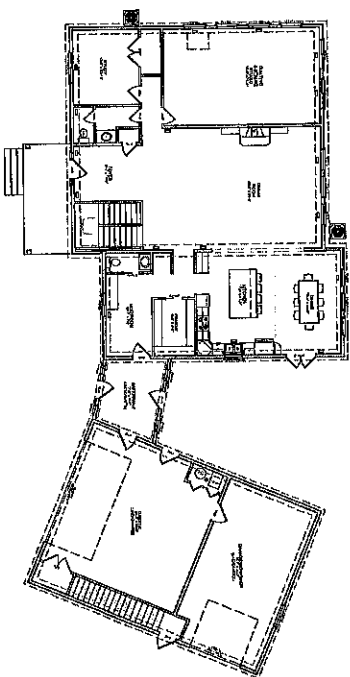
FINISHED SQUARE FOOTAGE:
MAIN (FIRST) FLOOR: 1741
SECOND FLOOR: 1373
2-CAR GARAGE: 672
1-CAR GARAGE/WORKSHOP: 389

GENERAL NOTES

1. DRAWINGS ARE PREPARED FOR THE RESIDENTIAL CONSTRUCTION FOR THE OWNER AT THE LOCATION SHOWN OR OTHERWISE INDICATED. ANY DEVIATION FROM THESE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER MAY RESULT IN LEGAL ACTION BEING TAKEN.
2. ANY NOTES IN THE PLANS REFERRING TO BUILDING CODES ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL VERIFY THE BUILDING CODES AND ANY OTHER APPLICABLE CODES AND REGULATIONS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR OBTAINING THE LATEST EDITIONS OF THE OFFICIAL RESPECTIVE CODE BOOKS FOR ACTUAL CONSTRUCTION CODE.
3. BUILDING CONTRACTOR SHALL REVIEW AND VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, BUILDING CODES, AND SPACE REQUIREMENTS IN THE FIELD BEFORE ANY WORK COMMENCES AND NOTIFY THE DESIGNER OF ANY DISCREPANCY, OMISSIONS, OR DISCREPANCIES. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE.
4. BUILDING CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE STATE, COUNTY, AND LOCAL BUILDING CODES, ORDINANCES AND REGULATIONS PERTAINING TO THIS CONSTRUCTION.
5. BUILDING CONTRACTOR SHALL ESTABLISH AND VERIFY ALL OPENINGS AND INSERTS FOR MECHANICAL, ELECTRICAL, AND PLUMBING WITH APPROPRIATE TRADERS, DRAWINGS, AND SUB-CONTRACTORS PRIOR TO CONSTRUCTION. ALL OPENINGS AND INSERTS SHOWN ARE FOR REFERENCE ONLY.
6. ALL WORK SHALL BE IN COMPLIANCE WITH THE LOCAL BUILDING CODE, RECOMMENDED INDUSTRY STANDARDS, LOCAL OFFICIALS' STANDARDS, MANUFACTURERS' RECOMMENDATIONS OF ALL PRODUCTS INSTALLED, AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
7. WORKMANSHIP THROUGHOUT SHALL BE OF THE BEST QUALITY OF THE TRADE INVOLVED AND THE GENERAL CONTRACTOR SHALL COORDINATE THE WORK OF THE VARIOUS TRADERS TO EXPEDITE THE WORK IN A SMOOTH AND CONTINUOUS MANNER.
8. THESE DRAWINGS, AS INSTRUMENTS OF SERVICE, ARE AND SHALL REMAIN THE

- PROPERTY OF THE OWNER. THE BUILDING CONTRACTOR SHALL BE PERMITTED TO RETAIN COPIES OF THE DRAWINGS FOR INFORMATION AND REFERENCE IN CONNECTION WITH THE BUILDING OF THIS STRUCTURE ON THIS SPECIFIC SITE.
9. UNLESS OTHERWISE NOTED, ALL DETAILS, SECTIONS, AND NOTES SHOWN ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL APPLY TO SIMILAR CONDITIONS ELSEWHERE.
10. ANY REPRODUCTION OR OTHER USE OF THESE DRAWINGS WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE OWNER IS STRICTLY PROHIBITED.
11. BY USING THESE DRAWINGS, THE CONTRACTOR AFFIRMATIVELY WARRANTS THAT THE CONTRACTOR HAS VERIFIED THE ACCURACY OF THE DIMENSIONS, CONDITIONS, AND CONDITIONS OF THE SITE AND THE DESIGNER'S ASSOCIATES, INC. ITS DESIGNER, OFFICERS AND EMPLOYEES OF AND FROM ANY LOSERS, AND EXPENSES INCLUDING ATTORNEY FEES AND COSTS ARISING FROM OR IN ANY WAY CONNECTED WITH THE USE OF THESE DRAWINGS WITHOUT REGARD TO ANY NEGLIGENCE OR FAULT ON THE PART OF THE DESIGNER.
12. THESE PLANS SHALL BE APPROVED BY THE LOCAL BUILDING DEPARTMENT. A COPY OF THE APPROVED PLANS SHALL BE KEPT ON THE BUILDING SITE FOR REVIEW AND INSPECTION BY THE BUILDING OFFICIAL.
13. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND THE SAFETY IN AND AROUND THE JOB SITE AND ADJACENT PROPERTIES.
14. ALL DIMENSIONS ARE TO THE ROUGH FRAME OF STUDS OR TO THE OUTSIDE OF MASONRY.
15. ALL FOOTINGS TO BE BELOW FROST LINE AND MUST REST ON COMPACTED, UNDISTURBED SOIL CAPABLE OF SUPPORTING THE INTENDED STRUCTURE.
16. ALL PENETRATIONS ARE TO BE SEALED IN ACCORDANCE WITH STATE AND LOCAL CODES.
17. IECC COMPLIANCE CERTIFICATE SHALL BE POSTED AT ON BUILDING STRUCTURE.

MAIN FLOOR PLAN LAYOUT



DRAWING INDEX

PAGE SHEET	DESCRIPTION
1	A01 COVER SHEET
2	A02 GENERAL NOTES & SITE PLAN
3	A03 GRADING & DRAINAGE PLAN
4	A04 FOOTING & FOUNDATION PLAN
5	A05 FRONT & REAR ELEVATIONS
6	A06 LEFT & RIGHT ELEVATIONS
7	A07 BASEMENT FLOOR PLAN
8	A08 MAIN FLOOR PLAN
9	A09 MAIN FLOOR FRAMING PLAN
10	A01 ROOF FRAMING PLAN
11	E-1 BASEMENT ELECTRICAL PLAN
12	E-2 MAIN FLOOR ELECTRICAL PLAN
13	SD1 GENERAL FRAMING & STRUCTURAL DETAILS
14	SD2 STRUCTURAL NOTES & SPECIFICATIONS

CEILING HEIGHTS

MAIN FLOOR CEILING: 9'-0"
VAULT CEILING: 13'-0"
BASEMENT CEILING: 8'-1-1/2" (FLOOR SLAB INSET TO FOOTING)

FEATURES REQUIRING NATURAL GAS

FIRE PLACE: MAIN FLOOR (1)
STOVE TOP: MAIN FLOOR (1)
WATER HEATER: BASEMENT (1) (BASEMENT APARTMENT (1))
FURNACE: BASEMENT (1) (BASEMENT APARTMENT (1))

FORS GREN
Associates, Inc.
98 WEST 100 SOUTH, STE. 116, LOGAN, UT 84301
TEL: 435-222-0000 FAX: 435-222-0000

8m
Roof what's below.
Call before you dig.

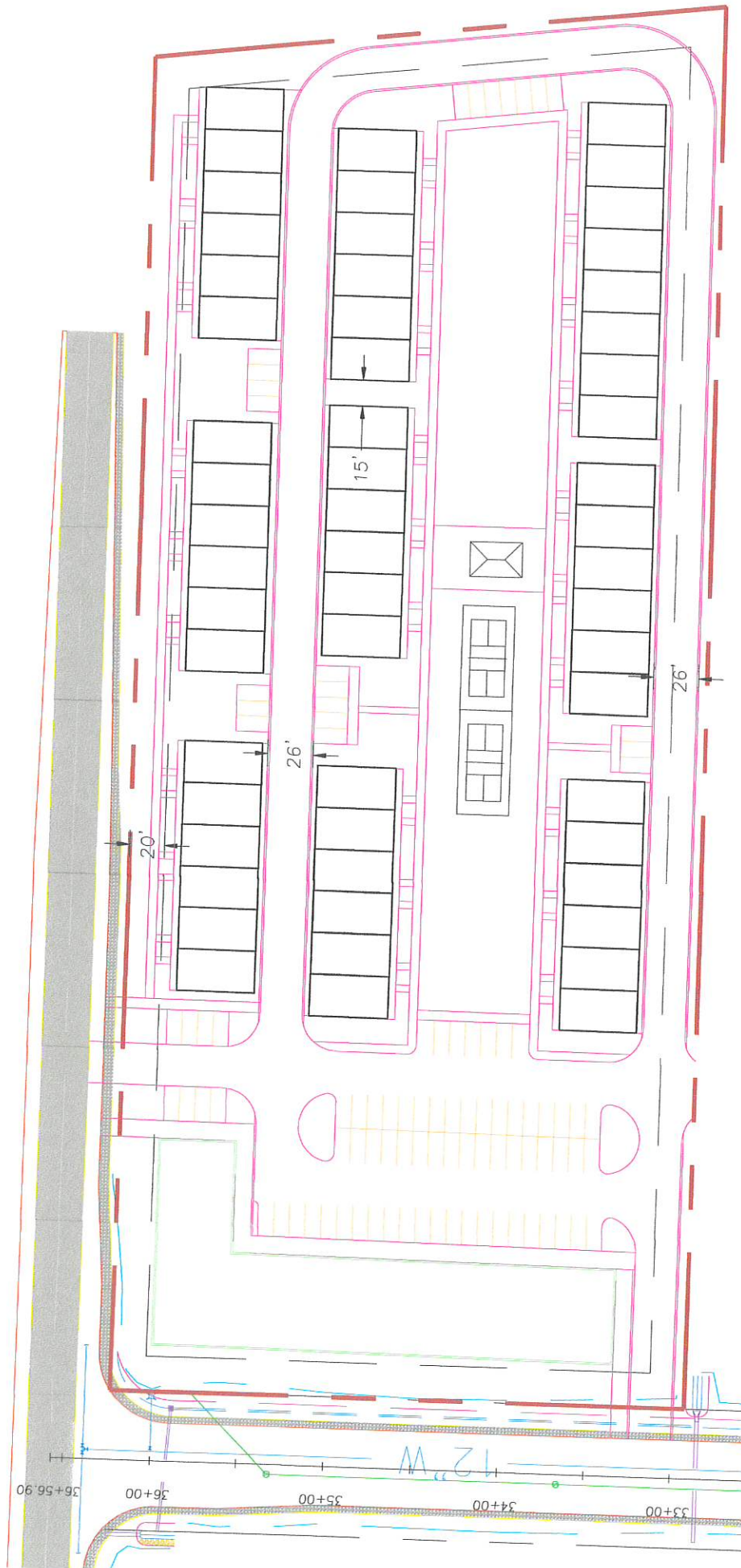
ATTENTION
LINE IS 24"X36" SIZE
IF NOT 24"X36", SCALE DRAWING ACCORDINGLY

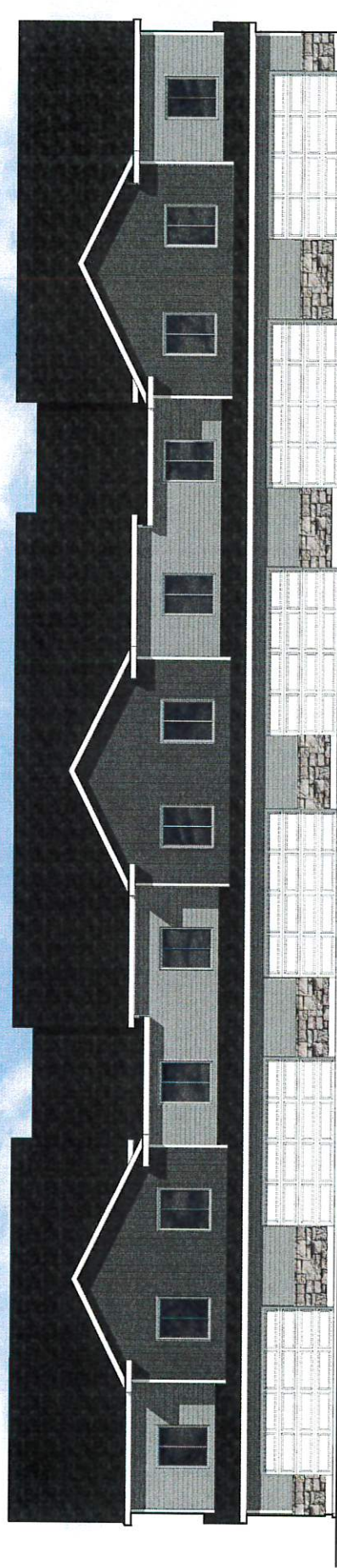
E&M DURSTELER
140 NORTH 100 WEST
MILLVILLE, UTAH

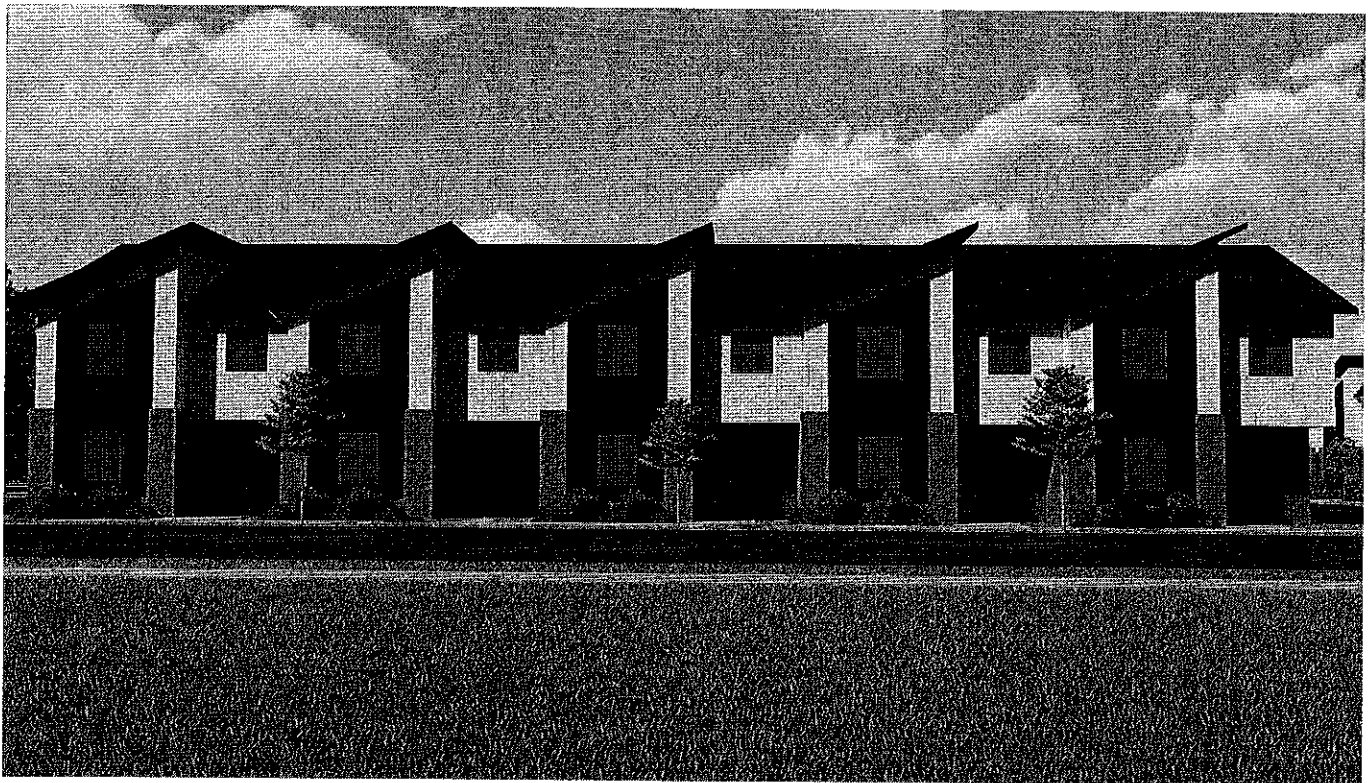
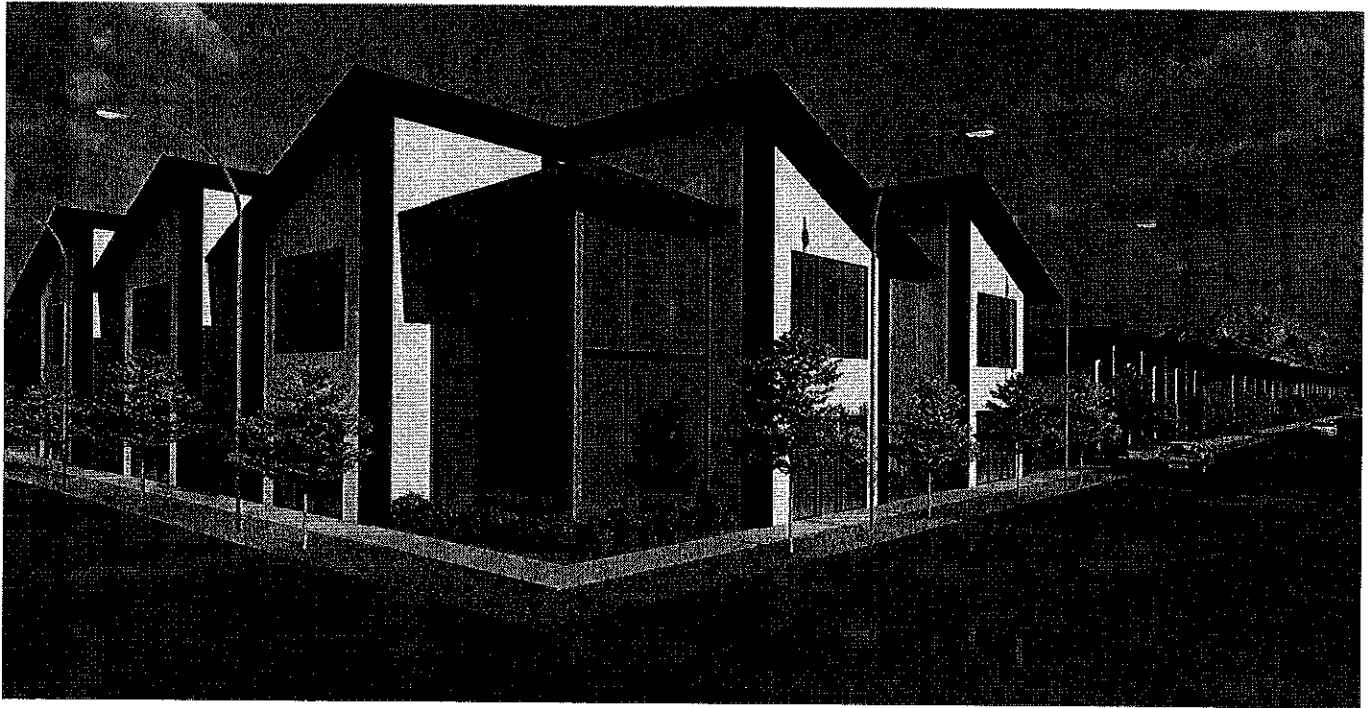
COVER SHEET
DATE: 07-2023
SHEET NO: 1

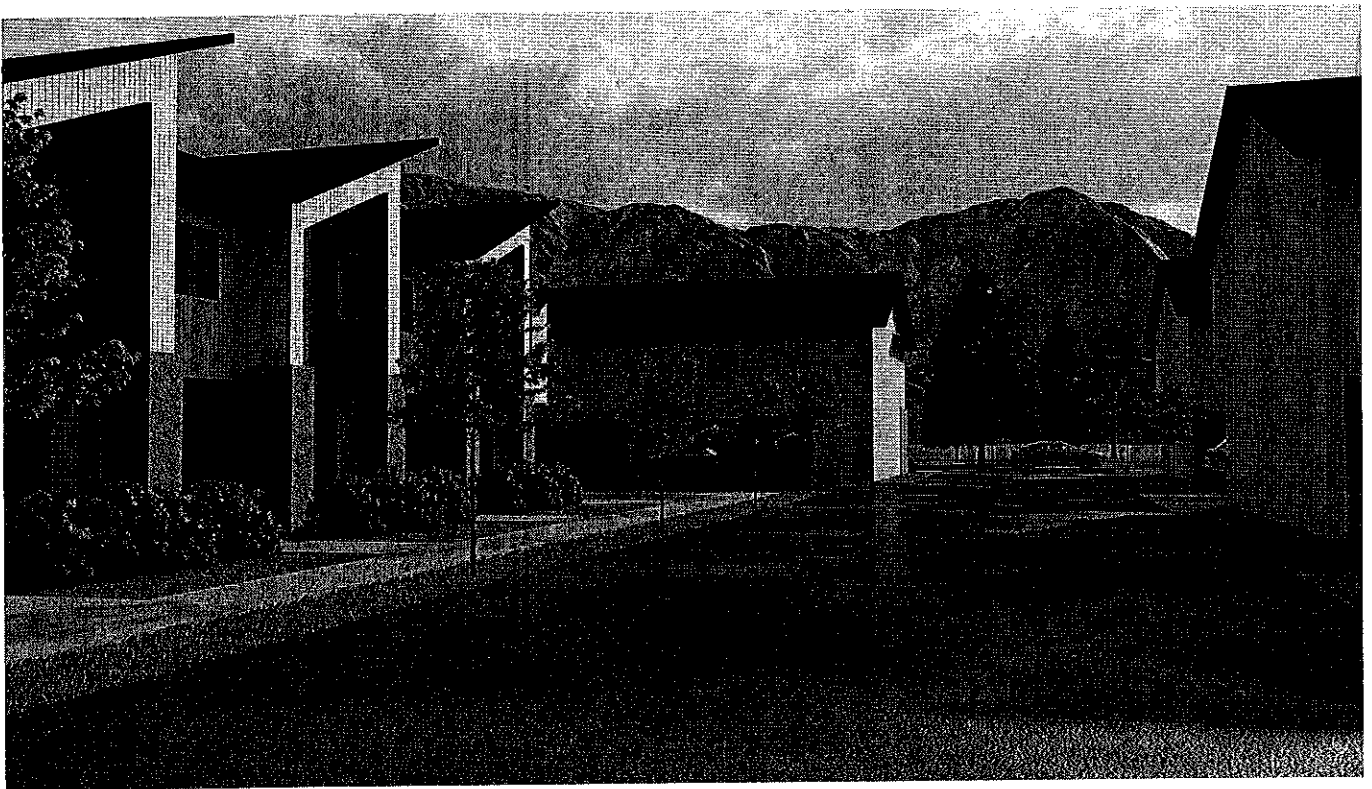
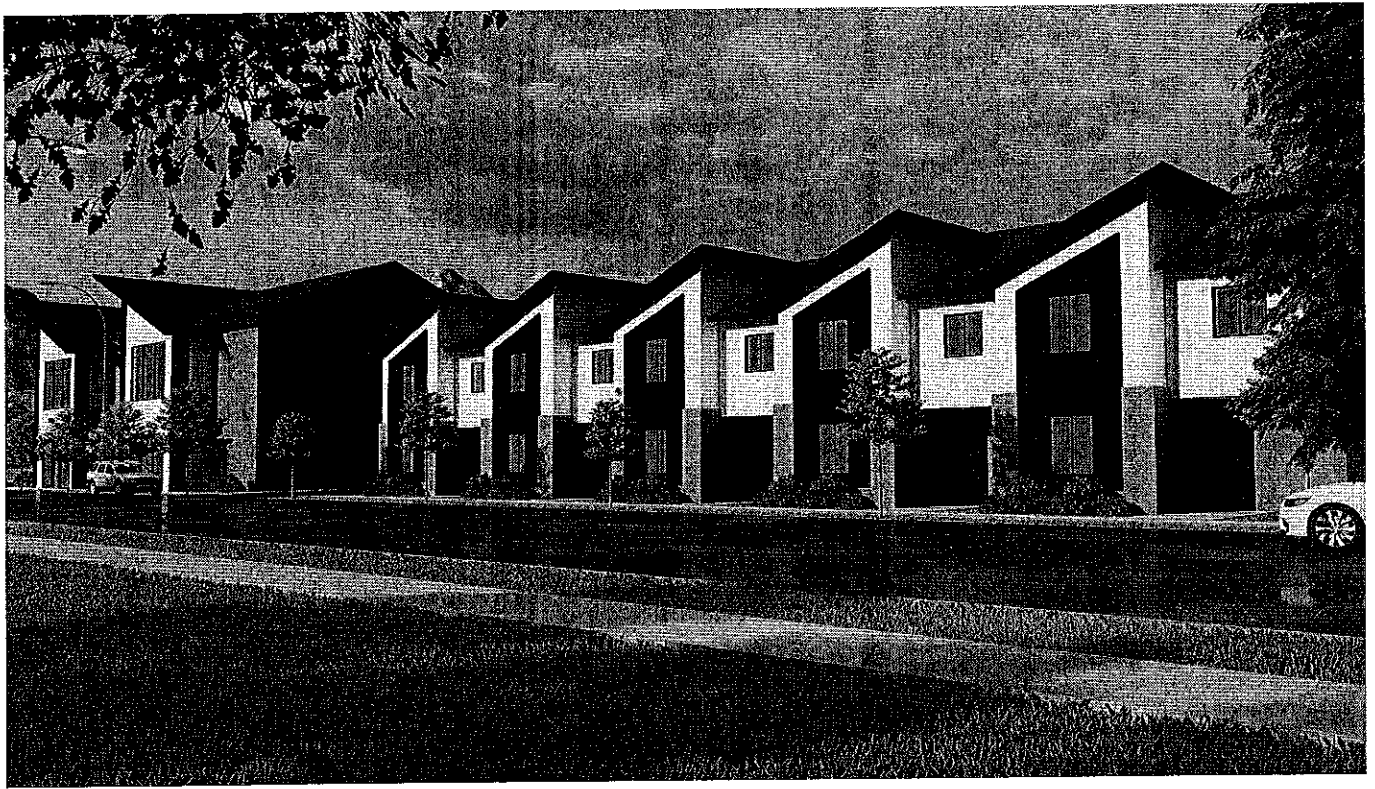
COMPLIANCE CERTIFICATE
This document is not to be used in design or construction without the approval of the Designer and shall not be copied without the written authorization of the Designer.

[illegible]











ORDINANCE NO. 23-10

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 "ZONING REGULATIONS", CHAPTER 17.81 "MASTER PLANNED COMMUNITY (MPC) ZONE", SECTIONS 17.81.050 "DEVELOPMENT STANDARDS", 17.81.090 "LANDSCAPING", 17.81.100 "DENSITY BONUSES" AND 17.81.030 "DEFINITIONS".

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in yellow shall be added.

17.81.050 DEVELOPMENT STANDARDS
--

The following are the minimum development standards and regulations for an MPC zone. Developers are encouraged to go above and beyond these requirements, but these are the minimums required to obtain approval of an MPC.

- A. **Project Size:** An MPC shall not be less than fifteen (15) acres in size.
- B. **Primary Use:** An MPC shall be residential.
- C. **Housing Types:** Developers are encouraged to provide a mix of housing types in an MPC. Such types may include, but are not limited to single-family ~~(detached, single-family attached, twin homes, cluster)~~ and multi-family ~~duplex/triplex/ (tri-plex four-plex, five-plex six-plex, etc)~~.
 1. Developers are required to have at least ~~two~~ three (3) types of housing, ~~one two~~ (2) of which must be single-family ~~detached~~. Single-family detached housing must make up at least forty percent (40%) of the total housing units in the project but shall not make up more than sixty percent (60%) of the total housing units in an MPC.
 2. Developers may reduce the percentage of required single-family detached housing, in exchange for an increase in open space, as outlined in SMC 17.81.060. In no case shall the percentage of single-family detached housing be less than thirty-five percent (35%) of the total required housing units.
- D. **Base Density:** The base density shall be six (6) units per acre, exclusive of any property in the development which is needed for rights-of-way. Density bonuses shall be calculated by first determining the allowable number of units. The allowable number of units shall be calculated as follows: Net Acreage * 6 = Base # of dwelling units
- E. **Single Primary Structure Required:** Regardless of the number of dwelling units contained in a primary structure, no lot may contain more than one (1) primary structure. All the dwelling units on the lot shall be contained within that primary structure. No

single lot may contain in excess of ~~six (6)~~ five (5) dwelling units in the primary structure on that lot.

- F. **Lot Widths/Setbacks:** The primary dwelling structure shall be set back from either the property line or right-of-way lines as shown below. (All measurements are in feet):

	HOUSING TYPE	FRONT SETBACK MAIN ENTRANCE	SETBACK GARAGE	SIDE SETBACK	REAR SETBACK	SIDE SETBACK STREET
PRIMARY STRUCTURE	Single-Family Detached	20'	25'	8'	15'	12'
	Twin Homes	20'	25'	8'	15'	12'
	Multi-Family	20'	25'	~~8'~~ 10'	15'	~~12'~~ 20'

ACCESSORY BUILDING	Single Accessory Structures are only allowed in Single family attached detached. In Multi-family buildings, community accessory structures may be allowed so long as they are not developed as individual storage sheds.
--------------------	--

G. **Encroachment into the Setback:**

1. The ordinary projection of bay windows, chimneys, awnings, ornamental features, eaves and general building design projections, may encroach into any of setbacks, provided none of the encroachments exceeds twenty-four inches (24") in depth.
2. Unsheltered decks shall be allowed to project into the rear setback a maximum of ten feet (10'). In no case shall the unsheltered deck be built to a height greater than the uppermost floor level.

- H. **Dwelling Unit Minimum Size:** Each dwelling unit in an MPC shall contain a minimum of eight-hundred fifty (850) square feet of living space, and the ground-floor footprint of any building which contains dwelling units shall not be less than five hundred (500) square feet per dwelling unit.

I. **Building Orientation:**

1. No residential dwelling structure in an MPC may face the rear of another dwelling structure on an adjoining/adjacent parcel/lot.
2. Buildings with their front facing each other shall have a minimum of twenty-five feet (25') between building fronts.

- J. **Height Regulations:** No primary structure shall be erected to a height greater than thirty-five feet (35'), the height being measured from the threshold (finish floor elevation) of the lowest main entrance to the highest point of the main building.

- K. **Signage:** Signage for the MPC should be coordinated and cohesive throughout the entire project. Signs shall comply with the requirements of SMC 17.36, "Signs."

- L. **Lighting:** All lighting shall conform to SMC 9.24, "Outdoor Lighting."

- M. **Trash:** All community trash containers shall be screened from public view and adjacent properties with a six-foot (6') sight-proof fence or wall. The placement of trash containers and access thereto shall be reviewed and approved by the entity designated by Smithfield City to provide waste management services to the MPC. Unless otherwise required by the waste management provider, openings shall be oriented away from public view or screened with opaque gates and shall provide ease of access for trash collection. No trash containers or enclosures may be located within a required front or street-side yard setback, and no single family attached, or multi-family trash containers or enclosures may be located within setback.

N. **Parking:**

1. Each dwelling unit shall be required to have the following off-street parking spaces:

	Dwelling ↓ Minimum Resident Parking Spaces Per Unit	Dwelling ↓ Guest Parking Spaces Per Unit
~~Single-Family Detached~~	2	---
Twin Homes/Multi-Family	2	0.50

2. If calculating the required number of parking spaces results in a fraction, the next highest whole number of required parking spaces shall be required. (E.G., 3.25 =

- 4 required parking spaces.)
3. In order to facilitate better design of an MPC, required off-street parking spaces may be grouped together; however, in no case shall more than twenty-five percent (25%) of the required parking spaces be grouped together. A professional parking study may be used to show acceptable alternate parking configurations.

17.81.090 LANDSCAPING

The following provisions shall apply to the open space in all MPC projects:

- A. A preliminary landscaping plan, prepared by a Landscape Designer or Landscape Architect, shall be submitted with the preliminary development plan for the MPC. Said plan shall include the number, type and, size of all proposed plants, trees, and shrubs within the MPC.
 1. The plan shall also include a proposal for how the open-space landscaping shall be irrigated and maintained. Areas landscaped with sod shall have a sprinkler or irrigation system, and all other landscaped areas shall have a drip line or other approved irrigation system.
- B. Developers shall prepare a landscaping plan consisting of a variety of trees, shrubs and other plantings suitable for the climate. Developers are encouraged to use trees found on the Smithfield City list of approved large and small trees. Drought-tolerant, low-water plantings are encouraged. Trees shall be a minimum two-inch (2") caliper.
- C. The developer in an MPC shall be required to landscape open space and the HOA shall provide for the maintenance of the required landscaping, not only within the MPC but also in those areas between the sidewalk and the curb and gutter of a right-of-way, regardless of whether it is a public or private right-of-way.

17.81.100 DENSITY BONUSES

The chart below outlines the requirements and regulations on density bonuses within an MPC. All amenities must be approved by the Planning Commission before the density bonus will be awarded. In no case shall the density bonus exceed fifty percent (50%) of the base density. An amenity or feature may not be used to receive a density bonus under more than one density bonus category.

* **Total project cost** is determined by the cost for infrastructure installation for the development.

Amenity	Requirement	Density Bonus	Max % Bonus
Additional Open Space	Provide open space ~~20, 30, 40, 50, 60, 70, 80, 90, 100~~ of the base rate (land area only).	2% density bonus for each 1% of open space above the base rate	~~20 25~~
Trails/Bicycle Circulation	Sidewalks less than 8 feet wide do not count as pedestrian/bike trails (land area only).	2% density bonus for each 1% of gross project size dedicated to trails.	~~10 15~~
Recreational Facilities	Provide recreational facilities such as playground equipment, swimming pools, recreation centers, etc. (also includes development cost of open space and trails).	(Cost of recreational facilities/total project cost) X12=density bonus	~~10 10~~
Off-Site Infrastructure Improvement	Improve City infrastructure with a reasonable portion to the project that may be deficient and could be negatively impacted by growth directly related to the development	(Cost of off-site infrastructure improvements/total project cost) X12=density bonus	~~10 20~~

17.81.030 DEFINITIONS

Cluster Housing: Cluster housing is a development of at least four (4) or more homes, designed using various forms of architecture, in which the houses are arranged in relatively close groups around a central common space sharing site amenities such as parking and landscaping in a coherent site design, located either on a single lot or individually platted lots.

Five-plex: A multi-family home, arranged or designed to be occupied by five (5) families. The structure having only five (5) dwelling units under individual ownership on one (1) lot.

Four-plex: A multi-family home, arranged or designed to be occupied by four (4) families. The structure having only four (4) dwelling units under individual ownership on one (1) lot.

Tri-plex: A multi-family home, arranged or designed to be occupied by three (3) families. The structure having only three (3) dwelling units under individual ownership on one (1) lot.

Twin Home: Two (2) single family homes that share an adjoining or communal wall, with separate and individual yard space.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 12th day of July, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

17.81 MASTER PLANNED COMMUNITY (MPC) ZONE

17.81.010 PURPOSE

17.81.020 ALLOWED USES

17.81.030 DEFINITIONS

17.81.040 REZONE REQUIRED

17.81.050 DEVELOPMENT STANDARDS

17.81.060 OPEN SPACE

17.81.070 STREETS, CIRCULATION AND PARKING

17.81.080 WALKING/BIKING TRAILS

17.81.090 LANDSCAPING

17.81.100 DENSITY BONUSES

17.81.110 APPROVAL PROCESS

17.81.120 FAILURE TO PROGRESS

17.81.130 DEVELOPMENT AGREEMENT

17.81.140 MODIFICATION OF APPROVED PLAN

17.81.010 PURPOSE

The purpose of the Master Planned Community (MPC) zone is to encourage imaginative and efficient utilization of land, develop a sense of community, and ensure compatibility with the surrounding neighborhoods and environment. This is accomplished by providing greater flexibility in the location of buildings on the land, creating and consolidating open spaces, and clustering dwelling units. The regulations contained in this Chapter are intended to create vibrant, sustainable, and walkable neighborhoods with integrated streets, attractive landscaping and a mixture of housing options.

An MPC is a residential development with a well-defined development theme which includes usable open spaces, diversity in lot design and housing types, a variety of amenities, and a well-planned circulation system. The combination of all these elements is necessary for the development of an MPC zone.

An MPC is a zone which may be located in a variety of areas throughout Smithfield City, if it can be demonstrated that such a project will demonstrate and fulfill the goals of this Ordinance in that area.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.020 ALLOWED USES

The permitted, conditional and not permitted uses in an MPC zone are outlined in the SMC 17.120, "Use Matrix Table."

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.030 DEFINITIONS

The terminology contained in this Chapter shall have those definitions found in SMC 17.04.070, "Definitions."

Acresage, Gross: The total amount of developable land in an MPC development. Land with slopes in

excess of 30% shall be considered undevelopable and shall not be counted into the gross acreage when calculating the base density. Land with slopes below 30% and above 10% should have decreased density.

Acreage, Net: The total amount of developable land, exclusive of any public or private right-of-way and parking.

Cluster Housing: Cluster housing is a development of at least four (4) or more homes, designed using various forms of architecture, in which the houses are arranged in relatively close groups around a central common space sharing site amenities such as parking and landscaping in a coherent site design, located either on a single lot or individually platted lots.

Common Area: All land, buildings and/or structures intended or reserved for the private use of the residents and owners of the development.

Density, Base: The maximum number of residential units per acre of developable land outlined in this Ordinance, prior to the awarding of any density bonuses.

Density, Bonus: The allowable units in excess of the base density, which shall be awarded when the project complies with the bonus density design requirements of this chapter.

Developable Land: Land under thirty percent (30%) slope which can effectively be used in conjunction with landscaping, recreational facilities, buildings, or parking. Land with slopes below 30% and above 10% should have decreased density.

Driveway: A private, paved area used for ingress or egress of vehicles, and allowing access from a street to a building, structure, or facility.

Dwelling: As defined in SMC 17.04.070

Five-plex: A multi-family home, arranged or designed to be occupied by five (5) families. The structure having only five (5) dwelling units under individual ownership on one (1) lot.

Four-plex: A multi-family home, arranged or designed to be occupied by four (4) families. The structure having only four (4) dwelling units under individual ownership on one (1) lot.

Open Space: An area of land within a development, located on a parcel independent of residential structures which is designed and intended for the use or enjoyment of the development's residents, their guests and, possibly, the general public. Open space shall include improvements as necessary and appropriate for use as usable outdoor space or privately held common space, so long as the open space maintains its intended use. Open spaces should be interconnected within a development, using biking/walking trails and landscape. Stormwater facilities may qualify as usable outdoor space if the physical characteristics are functional as usable areas for the intended purpose of usable outdoor space.

Private Open Space: Areas reserved for use by the development's resident and guests. These areas must be clearly labeled as open space on the plat and all other associated legal instruments. Open spaces should be interconnected within a development, using biking/walking trails and landscape. A mechanism must be established to fund and maintain all private open space.

Parking Lot Aisle: The traveled way by which automobiles enter and depart parking spaces. Aisle width standards are set forth in SMC 17.24.020 of this title. Parking aisles shall not be considered streets for purposes of this Chapter.

Parking Lot: A paved open area, other than a street or alley, used for the parking of more than four (4)

automobiles whether for free, or for compensation. Parking lots shall not be located within the required front, street or side setback.

Tri-plex: A multi-family home, arranged or designed to be occupied by three (3) families. The structure having only three (3) dwelling units under individual ownership on one (1) lot.

Twin Home: Two (2) single family homes that share an adjoining or communal wall, with separate and individual yard space.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 23-10 on 7/12/2023

17.81.040 REZONE REQUIRED

While not all areas in Smithfield will be suitable for the MPC designation, it is intended that the MPC be used throughout Smithfield City. Those who wish to petition the City for a rezone of their property to an MPC shall follow the procedure set forth in SMC 17.08.040, "Rezoning." A preliminary site and landscape plan detailing the developer's intent for the entire parcel under consideration for rezone and the subsequent phasing plan shall be submitted and reviewed as part of the rezone request.

In evaluating a request for an MPC rezone, the Planning Commission and City Council shall consider the criteria outlined in SMC 17.81.050, "Development Standards." If the rezone is approved with conditions, the preliminary plan must return to the city council, showing the proposed changes.

Additionally, as part of the rezone request, a developer shall demonstrate to the Planning Commission and City Council how the proposal addresses and fulfills the specific goals and values related to architecture, site design and walkability, which are found in the Smithfield City General Plan and in the purpose statement of this Chapter.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 21-30 on 12/8/2021

17.81.050 DEVELOPMENT STANDARDS

The following are the minimum development standards and regulations for an MPC zone. Developers are encouraged to go above and beyond these requirements, but these are the minimums required to obtain approval of an MPC.

- A. **Project Size:** An MPC shall not be less than fifteen (15) acres in size.
- B. **Primary Use:** An MPC shall be residential.
- C. **Housing Types:** Developers are encouraged to provide a mix of housing types in an MPC. Such types may include, but are not limited to single-family (detached, twin homes, cluster) and multi-family (tri-plex, four-plex, five-plex).
 - 1. Developers are required to have at least three (3) types of housing, two (2) of which must be single-family. Single-family detached housing must make up at least forty percent (40%) of the total housing units in the project but shall not make up more than sixty percent (60%) of the total housing units in an MPC.

2. Developers may reduce the percentage of required single-family detached housing, in exchange for an increase in open space, as outlined in SMC 17.81.060. In no case shall the percentage of single-family detached housing be less than thirty-five percent (35%) of the total required housing units.

D. Base Density: The base density shall be six (6) units per acre, exclusive of any property in the development which is needed for rights-of-way. Density bonuses shall be calculated by first determining the allowable number of units. The allowable number of units shall be calculated as follows:

$$\text{Net Acreage} * 6 = \text{Base \# of dwelling units}$$

E. Single Primary Structure Required: Regardless of the number of dwelling units contained in a primary structure, no lot may contain more than one (1) primary structure. All the dwelling units on the lot shall be contained within that primary structure. No single lot may contain in excess of five (5) dwelling units in the primary structure on that lot.

F. Lot Widths/Setbacks: The primary dwelling structure shall be set back from either the property line or right-of-way lines as shown below. (All measurements are in feet):

	HOUSING TYPE	FRONT SETBACK - MAIN ENTRANCE	SETBACK - GARAGE	SIDE SETBACK	REAR SETBACK	SIDE SETBACK STREET
PRIMARY STRUCTURE	Single-Family Detached	20'	25'	8'	15'	12'
	Twin Homes	20'	25'	8'	15'	12'
	Multi-Family	20'	25'	10'	15'	20'

ACCESSORY BUILDING	Single Accessory Structures are only allowed in Single family detached. In Multi-family buildings, community accessory structures may be allowed so long as they are not developed as individual storage sheds.
---------------------------	---

G. Encroachment into the Setback:

1. The ordinary projection of bay windows, chimneys, awnings, ornamental features, eaves and general building design projections, may encroach into any of setbacks, provided none of the encroachments exceeds twenty-four inches (24") in depth.
2. Unsheltered decks shall be allowed to project into the rear setback a maximum of ten feet (10'). In no case shall the unsheltered deck be built to a height greater than the uppermost floor level.

H. Dwelling Unit Minimum Size: Each dwelling unit in an MPC shall contain a minimum of eight-hundred fifty (850) square feet of living space, and the ground-floor footprint of any building which contains dwelling units shall not be less than five-hundred (500) square feet per dwelling unit.

I. Building Orientation:

1. No residential dwelling structure in an MPC may face the rear of another dwelling structure on an adjoining/adjacent parcel/lot.
2. Buildings with their front facing each other shall have a minimum of twenty-five feet (25') between building fronts.

J. Height Regulations: No primary structure shall be erected to a height greater than thirty-five feet (35'), the height being measured from the threshold (finish floor elevation) of the lowest main entrance to the highest point of the main building.

K. Signage: Signage for the MPC should be coordinated and cohesive throughout the entire project. Signs shall comply with the requirements of SMC 17.36, "Signs."

L. Lighting: All lighting shall conform to SMC 9.24, "Outdoor Lighting."

M. Trash: All community trash containers shall be screened from public view and adjacent properties with a six-foot (6') sight-proof fence or wall. The placement of trash containers and access thereto shall be reviewed and approved by the entity designated by Smithfield City to provide waste management services to the MPC. Unless otherwise required by the waste management provider, openings shall be oriented away from public view or screened with opaque gates and shall provide ease of access for trash collection. No trash containers or enclosures may be located within a required front or street-side yard setback, and no single family attached, or multi-family trash containers or enclosures may be located within setback.

N. Parking:

1. Each dwelling unit shall be required to have the following off-street parking spaces:

	Minimum Resident Parking Spaces Per Dwelling Unit	Guest Parking Spaces Per Dwelling Unit
Single-Family	2	---
Twin Home/Multi- Family	2	0.50

2. If calculating the required number of parking spaces results in a fraction, the next highest whole number of required parking spaces shall be required. (E.G., 3.25 = 4 required parking spaces.)
3. In order to facilitate better design of an MPC, required off-street parking spaces may be grouped together; however, in no case shall more than twenty-five percent (25%) of the required parking spaces be grouped together. A professional parking study may be used to show acceptable alternate parking configurations.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 22-27 on 12/14/2022

Amended by Ord. 23-10 on 7/12/2023

17.81.060 OPEN SPACE

- A. Each MPC project shall consist of a minimum of five percent (5%) open space. The required amount of open space shall be calculated based on the net acreage of the property and shall be devoted to landscaping, preservation of natural features and resources, and passive and active recreational features.
- B. In exchange for an increase in the amount of open space provided, developers may reduce the required percentage of single-family detached housing. The reduction shall be equal to the increase in open space (i.e. an additional 5% open space would decrease the required single-family detached housing to 35%.) In no case shall the single-family detached housing drop below 35% of the total required housing units.
- C. The open space shall be defined as private or common open space for the enjoyment and use of the development's residents or the general public.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.070 STREETS, CIRCULATION AND PARKING

- A. The design of all streets in an MPC project will be public and shall conform to the Smithfield City Construction Design Guidelines & Specifications. This design conformity shall include the surface and above-surface improvements and infrastructure, as well as underground improvements.
- B. **Public Right-of-Ways.** Developers may propose that the rights-of-way within an MPC be dedicated with the standard and all others to be private. The Planning Commission shall recommend to the City Council a determination as to the viability of the rights-of-way being private. The City Council shall make the final determination as to which streets in an MPC shall be private and which shall be public.
- C. **Right-of-Way Width, Streets :**See SCDS 249N 1-6.
- D. **Right-of-Way Width, Alley:** See SMC 17.04.070 "Definitions".

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.080 WALKING/BIKING TRAILS

- A. An MPC shall incorporate paved walking and biking paths into overall trail corridors for the use and enjoyment of residents. The paved pathways may vary in width but shall not be less than eight feet (8') wide and the overall trail corridor shall not be smaller than (16') feet wide.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.090 LANDSCAPING

The following provisions shall apply to the open space in all MPC projects:

- A. A preliminary landscaping plan, prepared by a Landscape Designer or Landscape Architect, shall be submitted with the preliminary development plan for the MPC. Said plan shall include the number, type and, size of all proposed plants, trees, and shrubs within the MPC.

1. The plan shall also include a proposal for how the open-space landscaping shall be irrigated and maintained. Areas landscaped with sod shall have a sprinkler or irrigation system, and all other landscaped areas shall have a drip line or other approved irrigation system.
- B. Developers shall prepare a landscaping plan consisting of a variety of trees, shrubs and other plantings suitable for the climate. Developers are encouraged to use trees found on the Smithfield City list of approved large and small trees. Drought-tolerant, low-water plantings are encouraged. Trees shall be a minimum two-inch (2") caliper.
- C. The developer in an MPC shall be required to landscape open space and the HOA shall provide for the maintenance of the required landscaping, not only within the MPC but also in those areas between the sidewalk and the curb and gutter of a right-of-way, regardless of whether it is a public or private right-of-way.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 23-10 on 7/12/2023

17.81.100 DENSITY BONUSES

The chart below outlines the requirements and regulations on density bonuses within an MPC. All amenities must be approved by the Planning Commission before the density bonus will be awarded. In no case shall the density bonus exceed fifty percent (50%) of the base density. An amenity or feature may not be used to receive a density bonus under more than one density bonus category.

* **Total project cost** is determined by the cost for infrastructure installation for the development.

Amenity	Requirement	Density Bonus	Max % Bonu s
Addition al Open Space	Provide open space in excess of the base rate (land area only).	2% density bonus for each 1% of open space above the base rate	25
Trails/Bic ycle Circulati on	Sidewalks less than 8 feet wide do not count as pedestrian/bike trails (land area only).	2% density bonus for each 1% of the gross project size dedicated to trails.	15
Recreatio nal Facilities	Provide recreational facilities such as playground equipment, swimming pools, recreation centers, etc. (also includes development cost of open space and trails).	(Cost of recreational facilities/total project cost) X 1.2 = density bonus	10

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 23-10 on 7/12/2023

17.81.110 APPROVAL PROCESS

Preliminary site and landscape plans will be submitted and reviewed concurrently with a rezone request. The Planning Commission shall review the preliminary plan and rezone with any attached conditions and forward said plans to the City Council with their recommendation.

The City Council will review the plans and determine whether they are approved or disapproved. The City Council may not approve an application for rezone to any of these zones unless a preliminary plat for property being rezoned has already been approved on condition of successful rezone.

The subdivision submittals and review shall follow the procedures outlined in SMC 16, "Subdivision Regulations."

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

Amended by Ord. 21-30 on 12/8/2021

17.81.120 FAILURE TO PROGRESS

Preliminary plan approval shall be valid for eighteen (18) months. If a minimum of one phase has not received final plan approval and been recorded within that time frame, the preliminary plan approval shall be null and void, and the developer shall be required to begin approval proceedings as if no preliminary plan approval had been granted. If, when presenting a phase for final plan review and approval, more than eighteen (18) months has passed since the last phase was submitted for final plan review and approval, the same requirement of resubmittal shall apply.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.130 DEVELOPMENT AGREEMENT

A. As part of the preliminary MPC approval, the City and developer shall prepare and execute a development agreement which, among other things, shall outline the following:

1. By what manner any private roads, open space, or other non-public common areas within the MPC shall be owned, managed, maintained and retain the beneficial use to all owners and occupants of the MPC.

a. In the case of private ownership of the open space, said spaces shall be protected against building development by conveying to Smithfield City an open space easement over such areas.

2. How the developer intends to provide financial security for the completion of the project.

3. A projected timeline of the associated phasing, including the infrastructure, facilities and amenities.

B. Penalties for non-performance on either the City or the developer's part.

C. Any other conditions of the project which the City Council shall deem appropriate to ensure successful execution of the MPC.

D. The development agreement shall be given preliminary approval as part of the preliminary plan approval and shall be given final approval as part of the final MPC approval.

E. In order to ensure the continuity and viability of the development agreement, said agreement shall be recorded against the property at the time the final MPC approval is granted.

F. No MPC may begin construction until such time as the development agreement has been approved and recorded.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021

17.81.140 MODIFICATION OF APPROVED PLAN

Any modifications shall follow current Utah Code Annotated.

HISTORY

Adopted by Ord. 19-15 on 4/14/2021